

STATEHOOD FOR THE DISTRICT  
OF COLUMBIA

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 60 minutes as the designee of the minority leader.

Ms. NORTON. Mr. Speaker, first, I want to say that my colleague from Texas (Mr. GOHMERT), who spoke just before me, mentioned a divided country and used a metaphor—I hope it will become a metaphor—for the coming Congress of the African American coach who coached a White team and seemed to be able to reconcile people. If this Congress doesn't learn the art of compromise, even though my Republican colleagues have captured the reins of government, they will still have trouble, without thoughtful compromise, getting matters through the House and the Senate. So I endorse the metaphor—that is what Mr. GOHMERT meant—of Coach Williams as the kind of Congress we should be beginning in January if we want to override the last several Congresses which got very little done. It will take more than bringing all the reins of government under one party to get that done.

I come to the floor this afternoon particularly to offer some background to new Members of Congress—but, I must say, to current Members of Congress as well—because there seems to me to be great mystery concerning what role Members of Congress should play when matters affecting a jurisdiction, not their own, come before them in this House. They know for sure that their own constituents didn't send them here to legislate for somebody else's district, so how come and what does it mean and how can we get on with the business of the Nation?

On November 8, the residents of the District of Columbia in an over-the-top 85 percent majority—with support, by the way, from our Republican Party in the District—passed a statehood referendum to petition the Congress for statehood for the District of Columbia. I don't think they did so because they thought that either a Democratic President or a Republican President, a Democratic Congress, would move quickly on a statehood bill, but it does express frustration that I believe my colleagues would identify with at not being treated as the full-fledged American citizens they are. On November 8, not only was I running for Congress and many of my colleagues—or most of my colleagues—the District of Columbia was, in effect, running for statehood.

Now, there are three ways to become a State: you can amend the Constitution; you can have Congress pass a bill, and we have a bill pending here now; or a State can formally petition the Congress to become a State, instead of waiting for Congress to pass a bill in the ordinary course of business.

The way to petition the Congress was patterned by the State of Tennessee,

which was then a territory. In 1795, Tennessee drafted a constitution, passed a referendum, indicated what its boundaries would be, and petitioned, succeeding in becoming the 16th State of the Union.

At the same time that 85 percent of the residents of the District of Columbia passed the statehood referendum to do the same thing—I don't want to be misunderstood. Our residents have not given up on seeking any and all elements of statehood. Even before statehood is granted, statehood consists of many different elements. Indeed, almost simultaneously, indeed, before the statehood referendum, they had voted for a budget autonomy referendum. You can imagine the insult to the residents of the District of Columbia to raise \$7 billion and then have to call on somebody else for permission to spend their own money.

□ 1315

Budget autonomy has long been the priority of the District of Columbia, and every Member of this body knows that what you prize most is the control that your own jurisdiction has over its own local budget and that, no matter what we do on the Federal budget, they can't touch your budget. Yes, they add to your budget, but your budget is your budget, and our budget is our budget. Members of Congress don't look at our budget. They know they don't know how to run a big city of, going on, 700,000 people, but the budget becomes a vehicle for interfering with the business of a local jurisdiction—the District of Columbia.

Now, Congress, in the congressional resolution that is pending, has appropriated next year's budget—that is to say, the 2017 budget. At the same time, I want to alert Congress that the budget autonomy referendum I just spoke of is in effect. That has not been overturned. It has been tested in court. The Court of Appeals for the District of Columbia vacated an opinion of the district court that indicated that the budget autonomy referendum, whereby the District was giving itself autonomy over its own budget, was unconstitutional. It vacated that, so that does not stand. Instead, it sent it to the Superior Court of the District of Columbia, and the superior court considered it and upheld the Budget Autonomy Act. No appeal was filed; so the Budget Autonomy Act is still law.

It is interesting that the Federal court sent the matter to the local court. I think the Federal court was telling us something: that, when it comes to discerning what are the local powers, we ought to look first to the local courts. No appeal was filed. The Federal courts have, in effect, deferred to the local court; so the budget autonomy referendum stands as law, notwithstanding the fact that the congressional resolution does, in fact, appropriate D.C.'s budget.

So you can see how there is some attempt to come to grips with this issue

in Congress and to come to some kind of, at least, compromise, and I appreciate that. It is very hard to understand congressional opposition to autonomy, such as it is, that the District wishes over its own budget.

What the District has done in designing its own budget autonomy referendum is certainly not to give itself statehood. The referendum is a very moderate notion because the local budget would still come to the House of Representatives and to the Senate for a review period, just as all local legislation—even though almost none of it is overturned during this period—has to come here before it becomes law. Congress would continue, under the current budget autonomy referendum, to have the existing jurisdiction over the District of Columbia, and it is going to have that jurisdiction until the District of Columbia becomes the 51st State.

Budget autonomy does not interfere, as it is mapped out in the budget autonomy referendum, with the powers of the Congress. So why not say to the District: you can have control over your own budget. If we want to interfere, we can still interfere; but you don't have to bring it up here. We can interfere without your bringing it up here.

Until this Congress, actually, the District had bipartisan support for budget autonomy. The last two Republican chairmen of the committee of jurisdiction over the District, which is the Oversight and Government Reform Committee, understood—maybe precisely because they were Republicans—why budget autonomy was the very first thing a local jurisdiction ought to demand. Former Representative Thomas Davis and DARRELL ISSA fought for budget autonomy. Mr. ISSA is still in this body, as I understand it.

Representative Davis said recently: “The benefits of budget autonomy for the District are numerous, real, and much needed. There is no drawback.”

Budget autonomy means lower borrowing costs, more accurate financial projections, improved operations, and the District government will not shut down during a Federal Government shutdown. Imagine that. That is what has happened several times here because this budget has to come here even when the District of Columbia, as always, is not implicated in disagreements with the Federal Government. If it shuts down then I have to take action to make sure the District doesn't shut down with it because, in the past, it has, indeed, been shut down for no reason except the Federal Government, itself, was shut down because it couldn't agree on Federal matters.

The District has tried all conceivable ways to get some equality with other citizens. For example, the House in 2007 and the Senate in 2009 passed the House Voting Rights Act. That would have given the District a vote in the House but not in the Senate. But at least in the people's House, you would not have

the outrage of, for example, this Member who cannot vote on any matter on this floor but whose matters do come before the House of Representatives. It had good bipartisan support. Speaker RYAN, at the time, supported it. Our current Vice President, at the time, supported it. Our Vice President-elect supported it. There was some understanding that, even if you are not ready for statehood, you are not ready for the status quo for the almost 700,000 people who live in the District of Columbia.

There are other elements of statehood: legislative autonomy. If the District passes a bill, it can't become law until it lies over. That means it just stops until we see whether somebody from the House or the Senate wants to overturn a law. It is almost never used. I can't remember the last time it was used, yet that is an authority that lies in this Congress. Why would Congress want to keep an authority when it never uses it? There are other ways, if it wants to interfere, rather than forcing the District through long waits to have its bills become law. These are enigmas of the last century. They have no place in a modern House and Senate.

I have been able—and I am grateful—that, each year, for the last several years, I have been able, in advance, to get language that has meant that, even if the House or the Senate had to close down, the District would not close down. It is not as if there aren't some in the House who see why I come before you today. We believe that, ultimately, as Congress sees that the components of statehood work—not shutting down the government, maybe budget autonomy or legislative autonomy—they will see that a new State of American citizens should have the same rights in every respect as other American citizens.

In 2014, we were very pleased to get the first official hearing ever in the Senate on D.C. statehood. There was a huge overflow crowd. They had to open up other rooms beyond where the hearing was held. The case for statehood was made by a number of witnesses at that hearing. The District was able to show that it has one of the strongest economies in the Nation.

How many of my colleagues are from States that have a \$12.5 billion budget, much less their districts? Because that is larger than the budget of 12 States. How many of my colleagues can boast for their States, much less their Districts, \$2 billion in surplus, which has become the envy of the States?

How many of my colleagues have per capita personal income as high as ours? None, because the per capita income—per person income—in the District of Columbia is higher than that of any State. Our total personal income per capita is higher than that of seven States. Our per capita personal consumption expenditure is higher than that of any State.

Look at the growth in population with people coming in large numbers to

live in the Nation's Capital—one of the highest growth rates in population in the United States. In a city that was about 600,000, it has increased more than 50,000 since the last census, giving the District a larger population than two of our States that have two Senators and one Representative—Wyoming and Vermont.

Of course, there are many reasons statehood is very personal to me. If the bell rings for votes on bills, I cannot cast a vote for the more than 650,000 people I represent, though my constituents pay more taxes per capita than those who do come to cast that vote.

I feel it also very particularly when we have votes on any matter affecting war, like ISIL, because I have gone to the floor to debate matters of war a number of times since coming to Congress 25 years ago. I remember, for example, District residents who died in Iraq and Afghanistan, and I was not able to vote “aye” or “no” as they went off and got the vote for those in their jurisdictions. I remember the purple fingers that showed that people had voted, while these District of Columbia residents, in having gotten the vote for others, came home and still did not have the vote.

Mr. Speaker, this is an embarrassing anachronism that comes out of the 18th century. When the Framers, who were otherwise—I must say in virtually every other way—perfect, couldn't figure out what to do when the Capital was in Philadelphia and the Revolutionary War veterans marched on that Capital, they thought: well, we want to make sure the Capital is not a part of a State. What will we do with the District of Columbia?

They were not sure, but they said: we will retain some jurisdiction over the Capital in case we need to.

You don't need to—or let us say you do. There are 20 different Federal police forces that help protect the local District of Columbia every single day. This is a figment of another era if we are talking about protecting the Capital. In any case, it is impossible to lay to the Framers, who invented the slogan “no taxation without representation,” that they meant the people who fought in that war, that Revolutionary War, were to come home and have no representation.

□ 1330

Mr. Speaker, statehood has been very difficult for every State to achieve. The last two States were Alaska and Hawaii, and it took them each more than 50 years. It would have taken us much longer.

So what the District did in voting 85 percent for statehood was to understand it has to fertilize on a continuing basis our effort to become equal citizens or it just won't happen. This is a political matter and a moral matter, but the two mix. So we know we have to convince our colleagues, and we know everything depends on us.

So that energy that comes out of that vote you will see manifest all next

year. It has already raised the national profile for statehood for our country.

Now, many, many Americans know that when they see me speak on the House floor does not mean I have the same rights as everyone else. My greatest frustration is that most Americans think that the Americans who live in the Nation's Capital have the same rights they do.

The statehood vote and the drive leading up to it, the statehood referendum has helped many more Americans to understand that is not the case. There has never been a poll that showed anything but the desire of the American people that the people of the District of Columbia be treated equally with themselves.

Mr. Speaker, Congress has two choices: It can continue to exercise authority over the American people who reside here in the Nation's Capital, treating them—if I may quote the words of the great Frederick Douglass—as “aliens, non-citizens,” but subjects or it can take another course. This Congress can live up to the national promise, the ideals that we all profess, and help the people of the District of Columbia move toward equal citizenship, toward autonomy over their own budget, toward legislative autonomy, and finally toward statehood as the 51st State of the United States of America.

Mr. Speaker, I yield back the balance of my time.

#### ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4511. An act to amend the Veterans' Oral History Project Act to allow the collection of video and audio recordings of biographical histories by immediate family members of members of the Armed Forces who died as a result of their service during a period of war.

#### ADJOURNMENT

Ms. NORTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, November 18, 2016, at 3 p.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7485. A letter from the Deputy Assistant General Counsel for Regulatory Services, Office of the General Counsel, Department of Education, transmitting the Department's final regulations — Teacher Preparation Issues [Docket ID: ED-2014-OPE-0057] (RIN: 1840-AD07) received November 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.